

European Patent Office  
Erhardtstrasse 27  
D-80331 München  
GERMANY

Subject: Opposition to European Patent EP 0 120 694 B1  
Re: Appl. No.: 84 301 996.9

Patent Owner: Celltech Limited  
244-250 Bath Road  
Slough Berkshire SL1 4DY (GB)

Title: PROCESSES FOR THE PRODUCTION OF  
MULTICHAIN POLYPEPTIDES OR  
PROTEINS

- and -

Subject: Opposition to European Patent EP 0 125 023 B1  
Re: Appl. No.: 84 302 368.0

Patent Owner: Genentech, Inc.  
South San Francisco, California  
United States of America

Title: RECOMBINANT IMMUNOGLOBULIN  
PREPARATIONS, METHODS FOR THEIR  
PREPARATION, DNA SEQUENCES,  
EXPRESSION VECTORS AND RECOMBINANT  
HOST CELLS THEREFOR

## DECLARATION OF ALLAN E. CONNOR

I, Allan E. Connor, hereby declare and say the following:

1. I am presently Manager of Audio Visual Services at the Ontario Cancer Institute, Princess Margaret Hospital; 610 University Avenue; Toronto, Ontario, Canada, M5G 2M9. Princess Margaret Hospital is a teaching hospital and is closely affiliated with the University of Toronto; Toronto, Ontario, Canada, M5S-1A8. I have been employed in this or a similar capacity since 1974.

2. In the normal course of my employment and as a routine business practice of the institution, Audio Visual Services maintains permanent records of materials which my department prepares for the faculty and staff of the Hospital and University of Toronto, Faculty of Medicine Professors. Such audio-visual materials generally consist of 35 mm slides, posters, and the like which the faculty and staff typically use for public presentations. It is the practice of Audio Visual Services to log and keep 35 mm negatives that were used to prepare slides, posters and the like.

3. Attached as Exhibit A is an accurate reproduction of the cover of a log book kept by Audio Visual Services. This particular log book spans a period of three years. Pages containing entries for a particular year are marked with a letter that corresponds to that year. Thus, Exhibit A covers 1982 = L; 1983 = M; and 1984 = N.

4. Attached as Exhibit B is an accurate reproduction of a page marked with the letter "M" in the upper right hand corner and titled "FEB", meaning that all of the entries on this page were logged in for work performed by Audio Visual Services during February 1983. On line 19, the entry "Shulman" shows that five diagrams, 533-537, were prepared for Dr. Shulman during February of 1983.

5. Attached as Exhibit C is an accurate reproduction of an envelope containing six, 35 mm negatives that were used to prepare five diagrams for Dr. Marc Shulman in February of 1983. The bottom half of the Exhibit shows prints of these negatives, the first and last of which are duplicates. I have reviewed Dr. Marc Shulman's declaration submitted in the above-referenced Opposition to European Patent EP 0 125 023 B1 and confirm that these five slides are identical to, and in fact were used to prepare, the five diagrams shown in Exhibit D of Dr. Shulman's declaration dated May 21, 1994.

6. It is my belief that University professors typically employ my department to prepare audio visual materials to present at symposia and seminars shortly before such meetings occur.

7. I further declare that all statements made herein of my own knowledge are true, that all statements made on information and beliefs are believed to be true, and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both (18 U.S.C. 1001), and may jeopardize the validity of the application or any patent issuing thereon.

Dated at Toronto, Canada  
this 17<sup>th</sup> day of May, 1996.

  
Allan E. Connor

1982

"L"

1983

"M"

1984

"N"

82

# Exhibit B

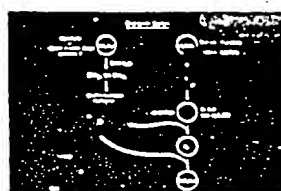
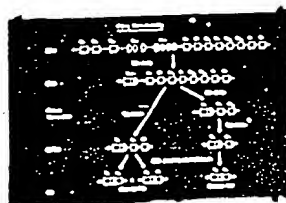
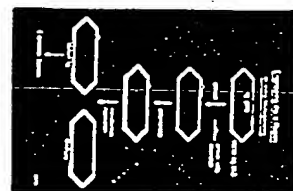
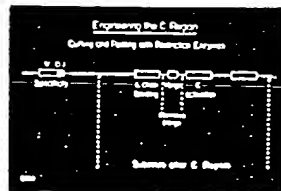
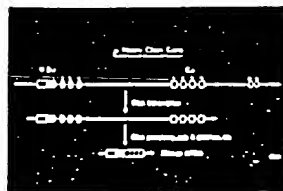
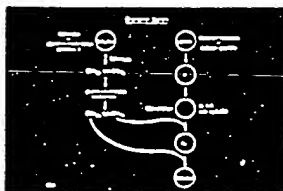
M

FEB.

Garrett	466 - 467	✓	1 Table 1 graph	470M see 3979M
BEALE	468 - 473	✓	3 graphs 3 tables	MSE. ENVELOPE
Erichman	474	✓	table	
Urbanski	475	✓	table	
Clark	476	✓	table	
Cummings	477 - 479	✓	3 diag's, part of bath	fs 3 - 463 M
B. Gapp	480	✓	prev. 3373 L	
Garrett	481 - 482	✓	graphs	
Urbanski	483	✓	table	
Fornasier	484 - 485	✓	tables	2
Quirt	486 - 488	✓	tables	
Clark	489	✓	table (now 875M)	
Cummings	490	✓	Graph See 1593 N.	
Wojcynski	491 - 493	✓	graphs	
Cummings	494 - 505	✓	Tables	
Cummings	506 - 518	✓	Tables	
Newmark	519 - 520	✓	table + diagram	
Thoman	521 - 532	✓	table	
Shulman	533 - 537		Diags.	(533 prev. 68L)
L. Smith	538 - 541	✓	half-tone	
Muraoka/Miller	542 - 543	✓	tables	
Klewelyn-Thoman	544 - 546	✓	tables	
Hasselbach	547 - 552		tables	
Boeckel/Seifert	553	✓	graphs	(554 prev. 304M)
Boeckel/Boyd	554, 555		graphs	555 203M)
Boon/Wintermore	556, 557		tables	
Beale	558		graph (part of group 466 - 473 M)	
Hill	559 - 561	✓	Graphs	
Hunt	562 - 563	✓	COLOUR	

Exhibit C

File No. from: 533M  
to: 537M  
DR. M. SHULMAN  
Name.  
work no.



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